GOVERNMENT OF INDIA
OVERSEAS INDIAN AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4307
ANSWERED ON:23.04.2008
TORTURE OF INDIAN WOMAN IN GULF COUNTRIES
Chakraborty Shri Ajay

Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether attention of the Government has been drawn to the torture of an Indian woman of Kerala by her employer in Oman as reported in the "Times of India" dated March 30, 2008;

(b) if so, the details thereof alongwith the assistance rendered to the victim; and

(c) the steps taken by the Government to stop the recurrence of such incidents in future?

Answer

MINISTER OF OVERSEAS INDIAN AFFAIRS(SHRI VAYALAR RAVI)

(a) & (b): As per report received from our Mission in Muscat, a lady from Kerala landed up in Muscat on a family joining visa obtained on the basis of a fake marriage certificate (spouses of workers working in Oman are given family joining visa), through an unauthorized visa agent.

On arrival in Muscat, she was received by two Indians (Gopi and Vinayan) and was taken to an apartment where she was tortured in confinement.

Upon a complaint received from her husband, our Mission, in coordination and liaison with local police authorities, got a raid conducted on the premises during which one Indonesian woman along with three Indian men (Shanmugkhan, Radhakrishnan and Venu Gopal) were arrested. Some culprits (including Gopi and Vinayan) are reportedly still at large. A criminal case is being filed by the local prosecution authorities against those arrested in the relevant local criminal court of competent jurisdiction. Investigation by the local authorities is still on in order to catch the kingpins.

(c): Details are annexed (Annexure-I).

ANNEXURE-I

ANNEXURE REFERRED TO IN REPLY TO PARTS (c) OF LOK SABHA UNSTARRED QUESTION NO. 4307 FOR ANSWER ON 23.4.08

To check illegal migration and trafficking of workers the following steps are taken:

(i) On receipt of complaints against registered recruiting agents action is taken by the Ministry of Overseas Indian Affairs under the provision of Emigration Act, 1983, leading to suspension and cancellation of their registration certificate / license in serious cases.

(ii) In respect of unregistered recruiting agents, the complaints are referred to concerned State Police Authorities / Protectors of Emigrants for investigation and action for violation of Section 10 of Emigration Act 1983 and other provisions of the law as appropriate.

(iii) In respect of complaint against the foreign employer(FE), FE is placed in the Prior Approval Category (Black list) and as a consequence is not allowed to recruit workers from India.

For protection of the interest and welfare of Indian workers abroad including women emigrants, the following measures have been taken:

No women below the age of thirty (30) years having ECR passport cannot take up employment in ECR country.

The employment contract duly attested by the Indian Mission, should be between the worker and the employer directly and not with the recruiting agent.

In case of recruitment of individual Indian emigrant worker including women directly by the Foreign Employer a bank guarantee of US $ 2500 is to be deposited by the FE in the concerned Indian Mission. In absence of fulfilling the above criteria, the emigration

clearance will be granted only on the basis of the availability of the specimen employment contract / labour contract duly attested by the Indian Mission concerned.

In order to ensure the protection and welfare of Indian workers by the host countries, Government of India has entered into bilateral labour MoUs with UAE in December 2006, and with Kuwait in April 2007. An additional protocol with Qatar was signed in November 2007 to update the 1985 Agreement with that country. MOU with Malaysia has also been signed. Such MoUs with Bahrain, Oman and Yemen are underway. These MoUs and Agreements provide for a broad framework for cooperation in Labour and Employment and also provide for Joint Working Groups of senior officers from both sides as an effective grievance redressal mechanism for better protection and welfare of Overseas Indian workers.

Further, to ensure protection and welfare of Indian workers comprehensive amendment of the Emigration Act, 1983, is already underway.

Wide publicity campaigns both, in electronic and print media, have been taken up by this Ministry for educating the workers on the emigration procedures.